

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:20-cr-00214-1-HFS
)	
BRIAN E. JONES,)	
)	
Defendant.)	

ORDER

Pending before the court is the motion to dismiss indictment filed by Defendant Brian E. Jones. (Doc. 47). Defendant Jones argues that his indictment should be dismissed because the government violated 18 U.S.C. Section 4241(d) of the Insanity Reform Defense Act and the Due process clause of the Fifth Amendment. (Doc. 47).

Jones argued that the fourteen-month delay in hospitalizing him for a restoration evaluation violated both the time limit of the IRDA and also his due process rights. In a Report and Recommendation (R & R) dated October 17, 2023, Magistrate Judge Lajuana M. Counts determined that there was

no violation of 18 USC section 4241(d) or the Due Process Clause of the Fifth Amendment. (Doc. 54).

After review of the briefing in this matter, including Defendant's objections (Doc. 55), I ADOPT the Report and Recommendation (Doc. 54) and DENY defendant's motion to dismiss. (Doc. 47).

SO ORDERED.

/s/ Howard F. Sachs

HOWARD F. SACHS
UNITED STATES DISTRICT JUDGE

October 30, 2023

Kansas City, Missouri